

Law Offices of Patricia Rodriguez  
 Patricia Rodriguez, #270639  
 739 East Walnut Street, Suite 204  
 Pasadena, CA 91101

**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

Gregg Atwell, an individual, Monique Atwell, an individual

CASE NUMBER

CV11-02782-PA-MAN

Plaintiff(s),

v.

CMG Mortgage Inc, Mortgage Electronic Registration  
 Systems Inc, United Escrow Company, All Funds Mortgage,  
 Lawyers Title, Bank of America Home Loan, et al.

Defendant(s).

**NOTICE OF DISMISSAL PURSUANT  
 TO FEDERAL RULES OF CIVIL  
 PROCEDURE 41(a) or (c)**

PLEASE TAKE NOTICE: (*Check one*)

- ☒ This action is dismissed by the Plaintiff(s) in its entirety.
- ☐ The Counterclaim brought by Claimant(s) \_\_\_\_\_ is  
 dismissed by Claimant(s) in its entirety.
- ☐ The Cross-Claim brought by Claimants(s) \_\_\_\_\_ is  
 dismissed by the Claimant(s) in its entirety.
- ☐ The Third-party Claim brought by Claimant(s) \_\_\_\_\_ is  
 dismissed by the Claimant(s) in its entirety.
- ☐ **ONLY** Defendant(s) \_\_\_\_\_

is/are dismissed from (*check one*) ☐ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim  
 brought by Gregg & Monique Atwell

The dismissal is made pursuant to F.R.Civ.P. 41(a) or (c).

6/13/2011

Date

Signature of Attorney/Party

**NOTE: F.R.Civ.P. 41(a):** This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

**F.R.Civ.P. 41(c):** Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.



LAW OFFICES OF PATRICIA RODRIGUEZ

Patricia Rodriguez, Esq.  
Bar No: 270639  
739 East Walnut #204  
Pasadena, CA 91101  
Telephone: (626) 888-5206  
Facsimile: (626) 844-6550

Attorneys for Plaintiffs  
MONIQUE & GREG ATWELL

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MONIQUE ATWELL, an individual;	)	Case No. CV11-02782-PA-MAN
GREGG ATWELL, an individual;	)	Hon. Percy Anderson
	)	
Plaintiffs,	)	STIPULATION TO DISMISS
v.	)	DEFENDANTS PURSUANT TO
	)	FEDERAL RULES OF CIVIL
	)	PROCEDURE SECTION 41a
CMG MORTGAGE, INC. a Business entity,	)	
form unknown; MORTGAGE	)	
ELECTRONIC REGISTRATION SYSTEMS	)	
INC., a Business entity, form unknown;	)	
UNITED ESCROW COMPANY, a Business	)	
entity, form unknown; ALL FUNDS	)	
MORTGAGE, a Business entity, form	)	
unknown; LAWYERS TITLE, a Business	)	
entity, form unknown; BANK OF AMERICA	)	
HOME LOAN, a Business entity, form	)	
unknown; AURORA LOAN SERVICES,	)	
LLC, a Business entity, a form unknown;	)	
QUALITY LOAN SERVICE CORP., a	)	
Business entity, form unknown; and Does 1-	)	
100 inclusive,	)	
	)	
Defendants.	)	

TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiffs GREGG and MONIQUE ATWELL and Defendant CMG MORTGAGE INC.,  
through their attorneys of record herein, hereby state as follows:



FROM

(MON) JUN 20 2011 11:37/ST. 11:30/No. 6811758866 P 2

1 WHEREAS, Plaintiffs filed their complaint on March 15, 2011;

2 WHEREAS, On April 1, 2011 the Defendant CMG removed the case from state court to  
3 the current Federal Court;

4 WHEREAS, Defendants MERS and Aurora had removed the same state case on March  
5 31, 2011;

6  
7 WHEREAS, Plaintiffs have been litigating the exact same facts and causes of action in  
8 two separate federal cases, the current action, and CV11-02711-DSF-MAN;

9 WHEREAS, Plaintiffs have since dismissed CMG from Federal case number CV11-  
10 02711-DSF-MAN;


11  
12 WHEREAS, Plaintiffs wish to dismiss Defendant CMG Mortgage Inc. from the instant  
13 action, case number CV11-02782-PA-MAN;

14 NOW THEREFORE, the parties stipulate as follows:

15 Plaintiffs dismiss Defendant CMG Mortgage Inc. from the entire action with prejudice in  
16 exchange for a waiver of costs and fees associated with the matter.

17  
18  
19 Dated: June 17, 2011

20 LAW OFFICES OF PATRICIA RODRIGUEZ

21 By: 

22 Alan Sagherian, Esq. for  
23 Plaintiffs

24  
25 Dated: June 20, 2011

26 MEDLIN & HARGRAVE, APC

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28 Joshua Rosenthal, Esq.  
Attorneys for CMG Mortgage Inc.



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IT IS SO ORDERED.

DATED:

The Honorable Percy Anderson



LAW OFFICES OF PATRICIA RODRIGUEZ

Patricia Rodriguez, Esq.  
Bar No: 270639  
739 East Walnut #204  
Pasadena, CA 91101  
Telephone: (626) 888-5206  
Facsimile: (626) 844-6550

Attorneys for Plaintiffs  
MONIQUE & GREG ATWELL

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MONIQUE ATWELL, an individual;	)	Case No. CV11-02782-PA-MAN
GREGG ATWELL, an individual;	)	Hon. Percy Anderson
	)	
Plaintiffs,	)	<b>DECLARATION OF PATRICIA</b>
v.	)	<b>RODRIGUEZ</b>
	)	
CMG MORTGAGE, INC. a Business entity,	)	
form unknown; MORTGAGE	)	
ELECTRONIC REGISTRATION SYSTEMS	)	
INC., a Business entity, form unknown;	)	
UNITED ESCROW COMPANY, a Business	)	
entity, form unknown; ALL FUNDS	)	
MORTGAGE, a Business entity, form	)	
unknown; LAWYERS TITLE, a Business	)	
entity, form unknown; BANK OF AMERICA	)	
HOME LOAN, a Business entity, form	)	
unknown; AURORA LOAN SERVICES,	)	
LLC, a Business entity, a form unknown;	)	
QUALITY LOAN SERVICE CORP., a	)	
Business entity, form unknown; and Does 1-	)	
100 inclusive,	)	
	)	
Defendants.	)	

1. I, Patricia Rodriguez, Esq., am an attorney licensed in the State of



1 California and in the Federal Court for the Central District of California. I am the lead attorney  
2 on this matter and could fully testify to the facts and proceedings of this case if called upon.

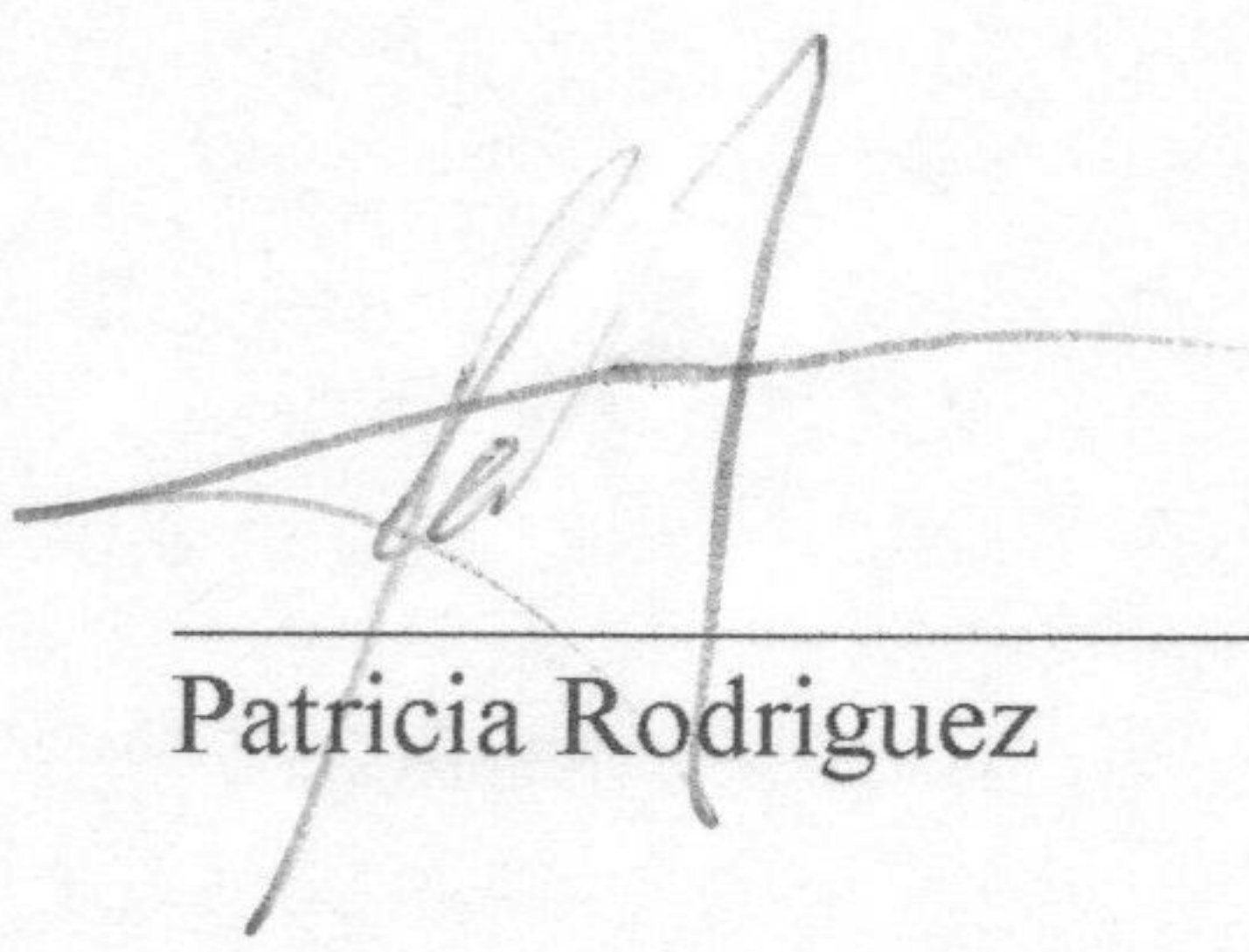
3 2. As the attached stipulation confirms, Plaintiffs Gregg and Monique Atwell are hereby  
4 dismissing this case with prejudice.

5 3. Plaintiffs have dismissed Defendant CMG Mortgage Inc., from the related case, federal  
6 case number CV11-02711-DSF-MAN, but do not at all intend to dismiss that case in its entirety.

7 4. The dismissal in the instant action, case number CV11-02782-PA-MAN, is meant to only  
8 apply to this case, and should not at all reflect on Plaintiffs' intentions regarding federal case  
9 number CV11-02711-DSF-MAN.  
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11 5. Plaintiffs fully intend to continue litigation in that action, case number CV11-02711-  
12 DSF-MAN.  
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17 DATED: 6/20/2011

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28 Patricia Rodriguez